App. F. IX-4

Previous References.

19 50-51
(CB)

File No. 173-50

Serial Nos.

Later References.

GENERAL AND REVENUE SECRETARIAT

Serial Nos. One

✓

Part B for Aug 1950

SUBJECT

Re employment of Sri Jawad Abdul Rahman as Asstn
District Court Civil Station, Bangalore.

No 7363-64/CB 173-50-1 D. 16.8.50

To

The Accountant General
through DD
The Registrar, High Court
of Mysore

90

Recruitment of Jamab Abdul Rahaman, Ex-Amin, Dt Court, Civil Station, Bangalore

General and Revenue Secretariat

App. F. III-2

File No. 699/CB of 19

Serial No.

Letter No R & C 8/49-50 dated 27/3/50 from the Registrar High Court of Mysore -- requesting in the Circumstances mentioned therein Janab Abdul Rahaman ~~Clerk~~ Amin, District C, Civil Station, Bangalore who opted to retire at the time of retrocession of the Civil Station to the Mysore State may be permitted to rejoin duty under

1) Submitted for perusal.

2) The matters relating to the Conditions of ~~Service~~ under which the Employees of the Civil Station were absorbed in the State Service and ~~also~~ like ~~matters~~ ~~to~~ at the time of ~~absorption~~ retrocession of the Civil Area to the State, has been dealt with in the Confidential Branch.

3) ~~Recorded with a copy~~. This may perhaps be sent to the Confidential Branch for needful action.

27/4/50

Asst Secy CS

for S/S

This Collection of C.B. 217-48 referred to is not available in the records

6/5/50 Asst SJT

5

C.O. Simla 8/5/50.

Submitted.

4) The recommendation of the Registrar at Item Janab Abdul Rahaman as ex-Amin, Dt. Court, Civil Station,

P-50

Re-employment of Janab Abdul Rahaman – Ex Bruin
H.C. Court Cost Stating Bangalore

(90)

File No. of 19 899/CB

General and Revenue Secretariat-

Serial No.

Bangalore, who chose to retire after 1-12-48 may be permitted to rejoin the duty and it is suggested that the period from 1-12-48 till the period of rejoining duty may be treated as 3 months P.L., 3 months furlough on average salary and the remaining on furlough on ½ average salary.

5) The official who is proposed to be reinstated is said to be aged 53 years and will have only two years of service left if he is allowed to rejoin.

6) It is also not made clear whether the post of Bruin in the H.C. Cuss Blue, is vacant wherein he can be readily posted or whether he has to be appointed in the next arising vacancy. If appointed the Registrar will be asked to furnish this information.

24/5/50

7) The Accountant-General may be consulted w/o for ascertaining whether there is any objection from an accounts point of view to accepting the proposal of the High Court.

8) Yes
sd/-
26/5/50.

25.5.50.

U.O. No. 19/CB 81 26/5/1950

9) Forwarded W/C to the Accountant General, Blue for favour of Remarks

Sd/- M. Ramakrishnaiya 26/5
for Chief Secretary to Govt.

COMPTROLLER'S
D. O. No.
Date 26.5.50
Bangalore

U.O.M. 16/Rel-
Dt. 27.5.50

WD 06820—GPB—25,000—26-7-49

26/5

90 Re employment of Janab Abdul Rahiman Khan

General and Revenue Secretariat | File No. 699/EB of 195 | [App. F. III-2

WD 07556—GPB—1,000—28-1-50

Serial No.

193/24.7.50

U.O.No.192/Ret. Dated 22nd July 1950.

Returned with compliments.

10) 2. The High Court's recommendation to treat the whole of the remaining period of leave ie. up to the date of rejoining duty, as furlough on half pay constitutes a departure from the provisions of Art.201(b) Mysore Service Regulation according to which the total period of Privilege Leave and Furlough cannot exceed one year at a time. The proposal to take the Amin on duty can, therefore, be entertained if the leave availed of by him from 1.12.49 is treated as leave on loss of pay and he refunds the leave allowances over paid to him under the Retrenchment Terms.

Accountant-General.
Mysore.

-VRM) Submitted for perusal and orders in reference paragraph 4 above

AAR 26/7/50

Please put up a draft G.O. as the High Court has already agreed to the terms of the U.O. note from the A.G.

26.7.50. Draft G.O is put up for approval & Min orders.

HMD 26/7/50. Law Secy) 7.7.50

26.7.50. Chief Min (thro Ch. Secy) 31/5 5/8/50

449 7 AUG 1950

8 AUG 1950

7/8/50

Office of the Chief Minister
No. 3128
Date of Receipt 3/8

SECRETARY LAW DEPARTMENT 4186 28 JUL 1950 GOVT.

GENERAL & REVENUE SECRETARIAT 5 AUG 1950 CONFIDENTIAL BRANCH

SECRETARY 24 JUL 1950 GOVT. OF MYSORE

24/7/50

90

File No. 699/CS of 195 .

General and Revenue Secretariat

Serial No.

The file may be sent to T.D. for Communicating The G.O. No. 7363-64/Cs. 173-50-1 dated 9th August 1950 to the Accountant General.

SD 10/8

H. comm no 2365/11-8-50

May issue after perusal of H Sy.

SD 11/8.

SD 11/8

Dine 12/8/50

SD 12/8

G.O. No. 7363-64 Cs. 143-50-1 dt 14/8/50 to the Regr Gte. DG. Thro' TD.

B

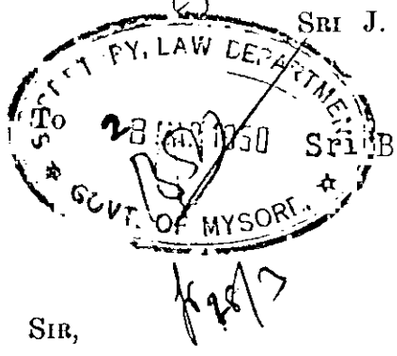
5551
Law

R. O. C. No. 8/49-50.
D. Dis.

HIGH COURT OF MYSORE.
Public Office Buildings, Cubbon Park,
Bangalore 16th March 1950.

FROM

SRI J. RUDRAPPA, M.A., LL.B.,
Registrar, High Court of Mysore.



To Sri B.S.Puttaswamy, B.A., B.L.,
Legal Remembrancer and Secretary
to Government of Mysore,
Law Department, Bangalore.

SIR,

Sub: Janab Abdul Rahiman Khan, Amin,
District Court, Civil Station.

I am directed to state as follows and to request that the Government may be pleased to pass such favourable orders as they may deem fit in the circumstances of the case.

One Janab Abdul Rahiman Khan who was a permanent Amin of the District Court, Civil Station, Bangalore, before retrocession did not accept the terms of service offered to the officials of the Mysore Assigned Tract by the Government of Mysore in G.O.No.3570-71/CB.217--48-1 dated 25th November 1948 but opted to retire from service after availing himself of the retrenchment concessions. Consequently, Janab Abdul Rahiman Khan has been on leave since 1-12-1948 in accordance with the G.O. on the subject. Since then Janab Abdul Rahiman Khan has requested that he may be permitted to rejoin duty. He states tha his family circumstances are such that it would be very hard to manag with the pension he may be entitled to if he retired from service. The District Judge while forwarding his application has stated that the official has rendered loyal and faithful service to the Governmen and has strongly recommended that Janab Abdul Rahiman Khan be permitt to rejoin duty. The official attains his 55th year on 22-11-1952 and as such he has still more than 2 years of service. The High Cour strongly supports the recommendation of the District Judge with regar

to permitting Janab Abdul Rahiman Khan to rejoin duty. If he is permitted to do so, then the question as to how the period from 1-12-1948 till the date of his rejoining duty will have to be treated arises for consideration. Naturally he will have to be required to surrender all the concessions he may have derived under retrenchment concessions, including the period spent on leave under those concessions and in its stead the period from 1-12-1948 till the date of his rejoining duty will have to be treated as leave availed of under the Mysore Service Regulations. Having regard to the concession to carry forward leave as laid down in Government Order No.3570-71/CB.217-48-1 dated 25th November 1948 Janab Abdul Rahiman Khan could have carried forward three months' privilege leave on full salary and furlough for 2 years, 7 months and 28 days had he continued under the Government of Mysore with effect from 1-12-1948.

Under the circumstances stated above, the Government may be pleased to accord permission to Janab Abdul Rahiman Khan, Amin, District Court, Civil Station, Bangalore, to rejoin duty. As the said official has been on leave since 1-12-1948 granted to him under retrenchment concessions and also taking into consideration the peculiar circumstances of the case, the period from 1-12-1948 till the date of his rejoining duty may kindly

be

reated as 3 months' privilege leave on full salary combined with furlough on average salary for 3 months and the remaining period as furlough on half average salary under the Mysore Service Regulations. The official may, however, be required to surrender all the concessions availed of by him under the retrenchment concessions including the leave allowances received by him during the period from 1-12-1948 in excess, if any, of what he would be entitled to receive if the period is to be treated as leave under the Mysore Service Regulations as stated above.

I am to request that the Government may be pleased to pass early orders in the matter.

Yours faithfully,

J. Rudrappa

REGISTRAR.

PROCEEDINGS OF THE GOVERNMENT OF MYSORE

R e a d :

Letter No.H.C.C.6/49-50 dated 27th March 1950 from the Registrar, High Court of Mysore, Bangalore, recommending in the circumstances mentioned therein, that Janab Abdul Rahman Khan, Main, District Court, Civil Station, Bangalore, who opted to retire at the time of retrocession of the Civil Station to the Mysore State, may be permitted to rejoin duty under certain conditions.

2) Un-Official Note No.192/Est. dated 22nd July 1950 from the Accountant-General, Mysore, Bangalore, furnishing his opinion in the matter.

ORDER NO.7363-64/G.S.173-50-1,
Dated, Bangalore, the 9th August 1950.

The High Court has recommended that Janab Abdul Rahman Khan, may be permitted to rejoin duty subject to the condition that he surrenders all the concessions availed of by him under the retrenchment terms, including the leave allowances received by him during the period from 1st December 1948 in excess, if any, of what he would be entitled to if the period of absence were to be treated as leave and to treat the period of his absence from 1st December 1948 to the date of his re-joining duty as 3 months' privilege leave on full pay combined with furlough on average salary for three months and the remaining period as furlough on half average salary.

The recommendation of the High Court is approved subject to the modification suggested by the Accountant General, namely, that the furlough on half average salary be restricted to a period of six months only and the leave availed of by him from 1st December 1949 to the date of his rejoining the duty be treated as leave on loss of pay and that he refunds the leave allowances over paid to him under the Retrenchment terms.

Sm. Ramakantamaiya
Secretary to Government,
Law Department.

To

The Registrar, High Court of Mysore, Bangalore.
The Accountant General through Fin.Deptt.

Copy to Law Branch;
C.B.

G. R. S. App. F VI—G 2]

SUBJECT .....

.....

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9 Copies

Diary. No. of letter replied to.....

General and Revenue Secretariat

( )

the *193* .

Date of issue..... ...193 .

Signed by .....

May this be—

(i) printed?

(ii) treated as a standing order?

(iii) published in the Gazette, English Part?

(iv) translated?

(v) placed at the disposal of the press?

(vi) published in the Gazette, Kannada Part?

Section

File No.

Serial No.

Proceedings of the Government of His Highness the Maharaja of Mysore.

Read— Letter No. R.O.C. 8/49-50 dt 27/3/50 from the Regr, H.C. of Mysore, Blore, recommending in the circumstances mentioned therein, Rao Sahib Abdul Rahiman Khan, Amin, Ist Court, Civil Station, Blore, who opted ~~Order thereon.—No.~~ to retire at the time of retrocession of the Civil Station to the Mysore State, may be permitted to rejoin duty under certain conditions.

2) U.O. Note No. 492/ Ret. dt 22 July 950 from the Accountant General, Mys., Blr

furnishing his opinion on the matter

Order No. 7363-64/CB 173-50-1 D. 9. 8. 50

The High Court has recommended that Jawab, Abdul Rahiman Khan, may be permitted to rejoin duty subject to the condition that he surrenders all the concessions availed of by him under the retirement terms, including the leave allowances received by him during the period from 1-12-1948 to in excess, if any, of what he would be entitled to if the period of absence were to be treated as leave and to treat the period of his absence from 1-12-48 to the date of his rejoining duty as 3 months P.L. on full pay combined with

List of Enclosure

Copied by

Examined by

G. R. S. App. F. G. 3.]

GENERAL AND REVENUE.

SECRETARIAT.

(*Continuation sheet draft form.*)

furlough on average salary for 3 months and the remaining period on half furlough on half average Salary.

The recommendation of the H-C is approved subject to the modification suggested by the A G. namely, that the furlough on half average Salary be restricted to a period of 6 months only and the leave availed of by him from 1-12-48 to the date of his retiring the duty be treated as Leave ~~without allowances~~ on that loss of pay and the refunds the leave allowances was paid to him under the Retrenchment terms.

RSV

~~Chief~~ Secy. to Govt. Law

To The Rep. H.C. Ceylon (by the A.G. Rlwy, thro' DD Copy to Law Dept.

CR.

WD 06072—GPB—25,000—21-6-49

26.7.50. 26/7/50.